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7 ***Attorney for Defendant JASON GOLDSBY***

8 **UNITED STATES DISTRICT COURT**

9 **DISTRICT OF NEVADA**

10 UNITED STATES OF AMERICA)	Case No.: 2:16-cr-00294-JCM-VCF
)	
11 Plaintiff,)	JOINT STIPULATION TO CONTINUE
)	PRE-TRIAL MOTIONS
12 vs.)	
)	
13 JASON GOLDSBY,)	
RUDY REDMOND, and)	
14 KAILI TUALAU)	
)	
15 Defendants.)	
)	

16 IT IS HEREBY STIPULATED AND AGREED, by and between Dayle Elieson, United
17 States Attorney, District of Nevada, and by and through Cristina Silva and Frank J. Cuomou,
18 Assistant United States Attorneys, representing the United States of America, and Mace J.
19 Yampolsky, Esq., counsel for Defendant Jason Goldsby, Michael Miceli, Esq., counsel for
20 Defendant Rudy Redmond, and Gabriel Grasso, Esq., counsel for Defendant5 Kaili Tualau that
21 the Defendants shall have to and including February 2, 2018, within which to file pretrial
22 motions.

23 IT IS FURTHER STIPULATED AND AGREED that the Government shall have to and
24 including February 16, 2018, within which to file any and all responsive pleadings.

25 IT IS FURTHER STIPULATED AND AGREED that the Defendants shall have to and
including, February 23, 2018, within which to file any and all replies to said motions.

1 This Stipulation is entered into for the following reasons:

- 2 1. That a Stipulation to Continue Trial (Fifth Request) was filed on January 16, 2018
3 (ECF #84).
- 4 2. That the Stipulation to Continue Trial was silent as to the extension of the period
5 for the filing of pretrial motions.
- 6 3. Counsel for Defendant Goldsby, Mace J. Yampolsky, Esq., was appointed in
7 December of 2017. Additional time is needed for Mr. Yampolsky to review
8 discovery in this matter.
- 9 4. Further, a Federal Grand Jury issued a superseding indictment on December 19,
10 2017, [sealed], and added additional charges against the Defendants, including a
11 new Defendant, who remains a fugitive at this time.
- 12 5. Counsel for all parties agree to this extension of time.
- 13 6. The Defendants are in custody, but do not object to this extension of time.
- 14 7. Denial of this request could result in a miscarriage of justice, taking into account
15 the exercise of due diligence by all parties hereto.
- 16 8. The additional time requested by this Stipulation is excludable in computing the
17 time within which trial must start under the Speedy Trial Act, Title 18, United
18 States Code, Section 3161(h)(7)(A) and 3161(h)(7)(B)(iv).
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1 9. This is the first Stipulation to Continue Motion Period filed in this case as the
2 previous Stipulations to Continue Trial allowed for the continuation of the motion
3 period within themselves.

4 DATED this 24th day of January, 2018.

5 MACE J. YAMPOLSKY, LTD.

OFFICE OF THE UNITED STATES ATTORNEY

6 /s/ Mace J. Yampolsky, Esq.
7 MACE J. YAMPOLSKY, ESQ.
Attorney for Defendant Goldsby

/s/ Cristina D. Silva, Esq.
CRISTINA D. SILVA, ESQ.
Attorney for Plaintiff

8
9 /s/ Michael Miceli, Esq.
MICHAEL MICELI, ESQ.
Attorney for Defendant Redmond

/s/ Gabriel Grasso, Esq.
GABRIEL GRASSO, ESQ.
Attorney for Defendant Tualau

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7 *Attorney for Defendant JASON GOLDSBY*

8
9
10 **UNITED STATES DISTRICT COURT**
11 **DISTRICT OF NEVADA**
12

13 UNITED STATES OF AMERICA) Case No.: 2:14-cr-0183-KJD-PAL
14)
15 Plaintiff,)
16)
17 vs.)
18)
19 JASON GOLDSBY,)
20 RUDY REDMOND, and)
21 KAILI TUALAU)
22)
23 Defendants.)
24)
25)

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

1. A Stipulation to Continue Trial (Fifth Request) was filed in the instant case on January 16, 2018.
2. The Stipulation to Continue Trial was silent as to the extension of the period for the filing of pretrial motions.
3. Counsel for Defendant Goldsby, Mace J. Yampolsky, Esq., was appointed in December of 2017. Additional time is needed for Mr. Yampolsky to review discovery in this matter.

4. Further a Federal Grand Jury issued a superseding indictment on December 19, 2017, [sealed], and added additional charges against the Defendants, including a new Defendant, who remains a fugitive at this time.

5. Counsel for all parties agree to this extension of time.

6. The Defendants are in custody, but do not object to this extension of time.

7. Denial of this request could result in a miscarriage of justice, taking into account the exercise of due diligence by all parties hereto.

8. The additional time requested by this Stipulation is excludable in computing the time within which trial must start under the Speedy Trial Act, Title 18, United States Code, Section 3161(h)(7)(A) and 3161(h)(7)(B)(iv).

9. This is the first Stipulation to Continue Motion Period filed in this case as previous Stipulations to Continue Trial allowed for the continuation of the motion period within themselves.

For all of the above-enumerated reasons, the ends of justice would be served by granting a continuance of the pretrial motion period in this matter.

ORDER

IT IS THEREFORE ORDERED that the Defendants shall have to and including February 2, 2018, within which to file pretrial motions.

IT IS FURTHER ORDERED that the Government shall have to and including February 16, 2018, within which to file any and all responsive pleadings.

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1 IT IS FURTHER ORDERED that the Defendants shall have to and including, February
2 23, 2018, within which to file any and all replies to said motions.

3 DATED this 24th day of January, 2018.

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6 HONORABLE CAM FERENBACH
7 UNITED STATES MAGISTRATE JUDGE
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